Single Bench

BEFORE THE HON'BLE HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P.NO. 4412 /2004

PETITIONER Lala Ram Sahu, aged about 36 years, son of Shri Bhoklu Ram Sahu, resident of village Semariya, Post – Kanhera, Tah. Bemetara, Distt. Durg (Chhattisgarh)

P.R. No. 4397 Presented by Shri S.R. Sahu dated 9/4/04

VERSUS

RESPONDENTS

1. The State of Chhattisgarh, through the Secretary, Department of health and Family Welfare, Mantralay, D.K.S. Bhawan Building, Raipur (CG)
2. The State of Madhya Pradesh, through : Secretary, Department of Health and Family Welfare, Mantralay, Vallabh Bhawan, Bhopal.
3. The Board of Ayurvedic and Unani, System of Medicine and Naturopathy, (MP), through : the Registrar Shyamla Hills, Bhopal (MP)
4. The Chhattisgarh Board of Ayurvedic and Unani system of Medicine and Naturopathy, Raipur (Chhattigarh)

COPY 9.4.04 Clerk to A. G. Bilaspur

PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT IN THE NATURE OF MANDAMUS, CERTIORARI QUO WARRANTO.

(31)

XI-HC—78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP 4412/04 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	15.2.2005 Shri P.P. Sahu, counsel for the petitioner. Smt. Fouzia Mirza, Panel Lawyer for the State. The petitioner has preferred this writ petition under Article 226/227 of the Constitution of India questioning the action of respondent No.4 whereby respondent No.4 had refused to supply enrollment form to the petitioner for the purpose of applying for registration as Ayurvedic practitioner. The case of the petitioner is that he had acquired qualification in Vaidya Visharad from Hindi Sahitya Sammelan Prayag, which was recognized under the Adhiniyam, 1970, but by notification dated 4.11.89, the said recognition was withdrawn with effect from 4.11.89. The claim of the petitioner is that he obtained the degree before 4.11.89 and since then he is practicing and therefore, when he started the practice, the degree was recognized. Further claim of the petitioner is that in the light of the judgment of M.P. High Court in Writ Petition No.287/90 between Shekhar Jain vs. State of M.P., respondent No.4 ought to have supplied the form and consider the case of the petitioner in the light of judgment passed by M.P. High Court, Annexure P-1. Having heard learned counsel for the parties and having regard to the facts and circumstances of the case, respondent No.4 is directed to supply the enrollment form to petitioner and after receiving the form, respondent No.4 to ascertain and examine the claim made by the petitioner and thereafter to take a decision about the eligibility of the petitioner for registration in the light of judgment passed by M.P. High Court in W.P. No.287/90. With the aforesaid direction the petition stands disposed of. Consequently, M.W.P.No.4759/04 also stand disposed of. Certified copy as per rules. Sd/- L.C.BHADOO Judge	